

### **III. Remarks**

In the subject Office Action, the Examiner objected to the drawings, and made rejections under 35 U.S.C. §112 and further in view of prior art under 35 U.S.C. §102 and §103. Applicants respectfully request reconsideration of the Office Action in view of the following remarks and appended amendments.

#### **Drawings**

The Office Action states that "The drawings are objected to because the detail description of the drawings make reference to Figure 1a, 1b, 2a, 2b, and 2c however the drawings are not labeled as such." Applicants cannot locate the quoted portions of the Specification. We find no mention of the recited figure designations. Accordingly, Applicants are not aware of any need for either drawing or specification amendments in view of these Office Action remarks.

#### **Specification**

Applicants appreciate the Examiner's careful reading of the application and his notation of specification objections. In particular, the Office Action cites paragraphs 7, 39, and 50 as having informalities. In response, Applicants are amending each of these noted paragraphs in a manner to make them more clear and address the Examiner's objections.

#### **Rejections in View of the Prior Art**

The Office Action rejects Claims 1, 3 through 5, 8 through 11, 16, 17, 19 through 23, 26, 38 and 41 in view of a prior art reference, specifically Holden et al.

(US 5,675,863). Applicants were surprised by this ground for rejection. The predecessor of this RCE application has undergone a rigorous examination process which resulted in a Notice of Allowance of all the claims pending in this application. This RCE application had no amendments from the parent application and was filed in order that the Examiner would consider additional prior art references. None of the newly cited references, nor any other references considered to date, are believed to teach or suggest the invention as claimed, either singularly or in combination.

The prior art rejections are primarily based on Figure 2 of the cited Holden reference. That figure shows a cross-sectional view of a conventional long retracting sootblower frame. This configuration is virtually identical to the prior art acknowledged by Applicants in their Specification description. Specifically, Figure 2 of the present application labeled "Prior Art" and paragraphs 5, 6, and 7 describe the sootblower construction identical to that of Holden. Briefly, the sootblower of Holden, as illustrated in Figure 2, like the acknowledged prior art, uses a bent sheet metal frame assembly (20), with separately manufactured and attached "L" brackets called angled members (58) which are shown in Holden as separate components which would be attached or "fixed" such as by welding or mechanical fasteners to the inside surface of the frame, and another separate component, referred to as a lower track member (56), which is also separately formed is attached to the side frame member. The Holden sootblower frame construction possesses the very disadvantages of the prior art which this invention specifically seeks to overcome.

In accordance with the present invention, a pair of elongated side panels are provided which are formed of substantially uniform thickness metal stock which are shaped to integrally define a first horizontal panel track surface and a second

generally horizontal panel track surface, with a vertical panel extending between the first and second track surfaces. The upper and lower track surfaces of Holden are formed by the L bracket 58 and the lower track member 56 as separate components fixed to the frame, not integrally by the substantially uniform metal thickness stock forming the side panels. These claim elements are recited in each of the rejected independent claims; namely, Claims 1, 3, 16, 38, and 41.

Applicants respectfully submit that the rejected claims in their form as they are currently pending clearly define over the prior art and allowance of these claims is respectfully requested.

Respectfully submitted,

July 8, 2009

Date

/Steven L. Oberholtzer/

Steven L. Oberholtzer(Reg. No. 30,670)